

## **IC 33-24-6**

### **Chapter 6. Office of Judicial Administration**

#### **IC 33-24-6-1**

##### **Creation of office; divisions**

Sec. 1. (a) There is created within the office of chief justice the office of judicial administration.

(b) The office consists of two (2) divisions, entitled:

(1) supreme court administration; and

(2) state court administration.

(c) The division of supreme court administration shall be headed by a supreme court administrator. The division of state court administration shall be headed by an executive director.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-2**

##### **Personnel; appointment; full-time positions; salaries**

Sec. 2. (a) The personnel of the office of judicial administration shall be appointed by and serve at the pleasure of the chief justice.

(b) The personnel shall devote full time to their official duties and may not engage in any other profession for profit.

(c) Personnel salaries shall be fixed by the supreme court subject to approval by the budget agency.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-3**

##### **Duties of division of state court administration**

Sec. 3. (a) The division of state court administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the executive director and in compliance with procedures prescribed by the executive director, furnish the executive director the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for

the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the judicial technology and automation project fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system developed and operated by the division of state court administration; to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems and the case management system developed and operated by the division of state court administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm and transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS.

(9) Staff the judicial technology oversight committee established by IC 33-23-17-2.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The division may adopt rules to implement this section.

*As added by P.L.98-2004, SEC.3. Amended by P.L.110-2009, SEC.12; P.L.130-2009, SEC.19; P.L.1-2010, SEC.132; P.L.284-2013, SEC.2.*

#### **IC 33-24-6-4**

#### **Office of guardian ad litem and court appointed special advocate**

**services; funding**

Sec. 4. (a) The division of state court administration shall establish and administer an office of guardian ad litem and court appointed special advocate services. The division shall use money it receives from the state general fund to administer the office. If funds for guardian ad litem and court appointed special advocate programs are appropriated by the general assembly, the division shall provide matching funds to counties that implement and administer, in courts with juvenile jurisdiction, a guardian ad litem or court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33. Matching funds must be distributed in accordance with the provisions of section 5 of this chapter. A county may use these matching funds to supplement amounts that are collected as fees under IC 31-40-3-1 and used for the operation of guardian ad litem and court appointed special advocate programs. The division may use its administrative fund to provide training services and communication services for local officials and local guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for matching funds under this section.

(b) Matching funds provided to a county under this section shall be used for guardian ad litem and court appointed special advocate programs and may be deposited in the county's guardian ad litem or court appointed special advocate fund described in IC 31-40-3.

(c) Any matching funds appropriated to the division of state court administration that are not used before July 1 of each fiscal year do not revert but shall be redistributed under this section on July 1. The division shall redistribute the funds among counties providing guardian ad litem and court appointed special advocate programs that are entitled to receive matching funds.

(d) Money appropriated to the division of state court administration does not revert at the end of a state fiscal year to the state general fund.

(e) Only guardian ad litem or court appointed special advocate programs certified by the supreme court are eligible for funding under this section.

*As added by P.L.98-2004, SEC.3. Amended by P.L.129-2005, SEC.11.*

**IC 33-24-6-5****Appropriations for guardian ad litem or court appointed special advocate program; formula**

Sec. 5. (a) If appropriated by the general assembly, the division of state court administration shall grant to each county with a guardian ad litem or court appointed special advocate program an annual appropriation calculated under the following formula:

STEP ONE: Deduct the annual appropriation to the division of state court administration for administrative expenses.

STEP TWO: Ascertain the number of children in need of services cases in each county, as determined by the division of state court administration from reports filed under IC 33-24-6-3, during the preceding calendar year.

STEP THREE: Divide the result under STEP TWO by the total number of children in need of services cases in Indiana, as determined by the division of state court administration from reports filed under IC 33-24-6-3, during the preceding calendar year.

STEP FOUR: Multiply the result under STEP THREE by the remaining state match appropriation.

(b) If, under subsection (a), a county's grant would result in a grant of two thousand dollars (\$2,000) or less, the county is entitled to receive a grant of two thousand dollars (\$2,000). After subtracting the state match appropriation distributed to these counties from the total remaining state appropriation, the division of state court administration shall distribute the remaining state appropriation under the following formula:

STEP ONE: Subtract the total number of children in need of services cases in the counties covered under subsection (a) from the total number of children in need of services cases in Indiana, as determined by the division of state court administration, during the preceding calendar year.

STEP TWO: Divide the number of children in need of services cases in each of the counties not covered under subsection (a) by the result under STEP ONE.

STEP THREE: Multiply the result under STEP TWO by the total remaining state match appropriation.

STEP FOUR: Distribute the result under STEP THREE to each county not covered under subsection (a).

*As added by P.L.98-2004, SEC.3. Amended by P.L.91-2007, SEC.1.*

#### **IC 33-24-6-6**

##### **Duties of division of supreme court administration**

Sec. 6. The division of supreme court administration shall perform legal and administrative duties for the justices as are determined by the justices.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-7**

##### **Distribution and title of reports**

Sec. 7. The reports required by section 3(a)(3) of this chapter shall be:

- (1) directed to:
  - (A) the commission on judicial qualifications;
  - (B) the chief justice;
  - (C) the clerk of the supreme court; and
  - (D) the legislative council;
- (2) accessible to the judicial officers of the various courts and to

the general public; and

(3) titled "The Indiana Judicial Report".

Reports to the legislative council under subdivision (1)(D) must be in an electronic format under IC 5-14-6.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-8**

##### **Enforcement of chapter by rules of supreme court**

Sec. 8. The supreme court shall provide by rule of the court for the enforcement of this chapter.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-9**

##### **Appointment of administrative or clerical personnel**

Sec. 9. The authority of the courts to appoint administrative or clerical personnel is not limited by this chapter.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-10**

##### **Trial court districts; transfer of judges**

Sec. 10. (a) The executive director shall, with the approval of the supreme court, divide the state geographically into at least eight (8) trial court districts.

(b) On the basis of relevant information compiled by the executive director concerning the volume and nature of judicial workload, the executive director shall recommend to the supreme court the temporary transfer of any judge or judges. The supreme court shall consider the recommendation and temporarily transfer any judge of a trial court of general or special jurisdiction to another court if the temporary transfer is determined to be beneficial to facilitate the judicial work of the court to which the judge is transferred without placing an undue burden on the court from which the judge is transferred. However, a judge may not be temporarily transferred to a court in another county within the district the judge normally serves that, at its nearest point, is more than forty (40) miles from the seat of the county the judge normally serves unless the judge consents to the transfer.

*As added by P.L.98-2004, SEC.3.*

#### **IC 33-24-6-11**

##### **Expenses for judges transferred to other counties**

Sec. 11. Any judge transferred to a court in another county shall be paid travel and other necessary expenses by the county to which the judge is transferred. An allowance for expenses shall be certified by the chief justice in duplicate to the auditor of the county. The certificate of allowance is prima facie evidence of the correctness of the claims. An item of expenses certified to be correct must be allowed by the board of commissioners of that county.

*As added by P.L.98-2004, SEC.3.*

**IC 33-24-6-12****Judicial technology and automation project fund**

Sec. 12. (a) The judicial technology and automation project fund is established to fund the judicial technology and automation project. The division of state court administration shall administer the fund. The fund consists of the following:

- (1) Deposits made under IC 33-37-9-4.
- (2) Other appropriations made by the general assembly.
- (3) Grants and gifts designated for the fund or the judicial technology and automation project.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) The budget committee may release funds for the judicial technology and automation project after the division of state court administration certifies in conjunction with the Indiana office of technology, that the judicial technology automation project is in compliance with the information sharing and exchange provisions of IC 33-24-6-3(a).

*As added by P.L.98-2004, SEC.3. Amended by P.L.229-2011, SEC.256; P.L.284-2013, SEC.3.*